UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/039,932	11/01/2001	Mark S. Buehler	263556US	9943

22850 7590 12/10/2007	**EXAMINER**
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.	BROWN, RUEBEN M
1940 DUKE STREET	
ALEXANDRIA, VA 22314	

ART UNIT	PAPER NUMBER
2623	

NOTIFICATION DATE	DELIVERY MODE
12/10/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/039,932	BUEHLER ET AL.
	Examiner	Art Unit	
	Reuben M. Brown	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on *10 April 2007*.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4, 6-10, 12-17, 19-23, 25 and 27-49* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4, 6-10, 12-17, 19-23, 25, 27-49* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments with respect to the claims have been considered but are moot in

view of the new ground(s) of rejection. The present Office Action is in response to Appeal Brief

filed 12/5/2006. The claim amendments filed 10/31/2006, in response to the Advisory Action

mailed 10/24/2006 have been entered.

         One of the arguments found on pages 10-11, is that Comstock does not discuss SNMP

compatibility or instructions, nor does discuss any MIB capability. Examiner notes that the

secondary reference relied upon in the 1/30/2006 Office Action, Comstock, discloses that its

video teleconferencing system communicates with H.323 terminals and H.320 terminals. At the

time the invention was made, it was known in the art of video teleconferencing that H.323

version 3, approved 9/30/1999, supports SNMP instructions. For instance, in an H.323 set-up and

configuration for a Polycom Viewstation, one of the parameters is an SNMP set-up, including

the SNMP console IP address (see pages 15-16; Polycom H.323 Setup and Configuration, 1999).

         However, some video teleconferencing systems that operate under H.323 protocols may

explicitly enable SNMP protocols, also known as H.341. Nevertheless, SNMP was known to be

a desirable modification, since SNMP is a network management protocol that reports device

parameters and state values back to the SNMP manager, in order to manage the instant device.

Therefore it would have been obvious for one of ordinary skill in the art at the time the invention

was made, to operate Comstock in a manner in which SNMP protocols are utilized at least for

the known advantage more efficiently managing devices in the network.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

3.   Claims 1-4, 6-10, 15-17, 19-23 & 25, are rejected under 35 U.S.C. 103(a) as being

unpatentable over Comstock, (U.S. Pat # 6,704,769), in view of Da Palma, (U.S. Pat #

6,874,020).

Considering claim 1, the claimed system for managing video teleconferencing devices

configured to exchange audio/video data, the system comprising:

'a management adapter accessible to a user interface, the management adapter having a list that identifies the video teleconferencing devices configured to exchange audio/video data', reads on the policy manager 136 in Comstock, (col. 5, lines 50-62; col. 9, lines 5-15). Therefore, the policy manager 136 necessarily maintains list of devices in the system, in order to "coordinate connection establishment and termination". For instance, Comstock teaches that the display terminal may display the plural roles played by the different terminals in the system, which reads on a list, (col. 6, lines 33-40). Comstock teaches that the policy manager 36, which may be located in the MCU 20 (col. 5, lines 55-61; col. 10, lines 9-15), which is the case when the MCU 20 is providing centralized control of the video teleconference, generally between three or more terminals.

'a device layer interfaced between the management adapter and the video teleconferencing devices, the device access layer representing the video teleconferencing as objects to support management of the video teleconferencing through the management adapters during set-up or conduct of an active video teleconference', even though the policy manager 36 interfaces with video teleconferencing devices, the reference does not explicitly discuss a device layer as such. However, Da Palma discloses the use of the Java Management Extension (JMX) suite that supports the deployment of the management bean structure that enables the various devices in the system to be referred to as objects, i.e., MBean (Abstract; col. 4, lines 29-52; col. 6, lines 14-61; col. 8, lines 14-34). It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify the disclosure of Comstock to include the use of

MBean as a device layer, for the advantage of a known algorithm for registering the devices as objects for more efficient management of the devices, see col. 2, lines 1-19; col. 4, lines 9-52.

As for the additional claimed feature of, 'wherein the video teleconferencing devices have plural video teleconferencing types, the device access layer representing each type of video teleconferencing device as an object class', Comstock clearly recognizes the different types of devices on at least two parameters. First of all, Comstock supports the use of H.323, which by definition, include the recognition of different classes of endpoint devices, i.e., MCU 20, gateway 30 and terminal 100. Furthermore, the system supports both H.323 terminals 90 (which communicate using IP, Internet 80) and the H.320 terminals 70 (which communicate using a PSTN 60).

Furthermore, the disclosure of MBean structures featured in Da Palma provides for the ability of represent objects using a variety of attributes and operations, which read on the claimed 'types' or 'object class', see col. 2, lines 1-15; col. 8, lines 14-34; col. 9, lines 48-58.

Considering claims 2-4, the combination of Comstock & the Management Bean structure disclosed in Da Palma meets the claimed subject matter, col. 2, lines 1-15; col. 8, lines 14-34.

Considering claims 6-10, the H.323 protocol supported by Comstock provides for each of the endpoint, MCU, gatekeeper and gateway types, and a common interface.

Considering claim 15, the claimed steps of a method for communicating with a first and second teleconferencing configured to exchange audio/video data and having corresponding first & second formats, that correspond with subject matter mentioned above in the rejection of claim 1, is likewise treated.

'comprising dividing the teleconferencing devices into types, reads on the disclosure in Comstock of the types of devices, such as MCU 20, gateway 30 or end terminal 70,90, see col. 3, lines 35-61.

'establishing an object class for each type of device', reads on the attributes and specifications that inherently correspond with the different type of devices, previously listed. 'interfacing with a management platform though a management interface to identify the teleconferencing devices', also read so the operation of the rack 30 which identifies the types of devices listed above and interfaces with them based on their attributes.

The additionally claimed feature of associating the devices with objects and translating communication to them from the interface with first & second communication formats, corresponds with the teaching of Da Palma, as discussed above which discloses management beans used to identify and interact with devices as objects, col. 2, lines 1-20; col. 6, lines 26-61 & col. 8, lines 40-60.

Considering claim 16, subject matter reads on Da Palma, col. 4, lines 31-48.

Considering claim 17, Da Palma teaches the use of SNMP technology, col. 9, lines 55-62.

Considering claim 19, the claimed subject matter is broad enough to read on one device interacting with the system using the H.320 protocol and another device interacting with the system using the H.323 protocol, see Comstock col. 3, lines 1-50. Again, the claimed management bean is met by the disclosure of Da Palma, col. 6, lines 14-61; col. 9, lines 48-58.

Considering claims 20 & 25, the claimed system and method for interfacing an SNMP management application with plural video teleconferencing devices having different native interface protocols, corresponds with subject matter mentioned above in the rejection of claim 1, is likewise treated.

'comprising representing the video teleconferencing devices as Management Beans stored on a server, corresponds with the discussion in Da Palma of representing objects in a system as such, see col. 4, lines 10-60.

'providing SNMP instructions corresponds with the teaching in Da Palma that the system may operate using SNMP technology, col. 4, lines 1-5; col. 9, lines 50-62.

'sending audio/video data from one of the plural video teleconferencing devices to

another video teleconferencing devices', is met by the operation of Comstock.

Considering claim 21-22, Comstock teaches that the H.323 terminals operate over IP

networks, col. 4, lines 35-50.

Considering claims 23, standardized attributes reads on the attributes inherent associated

with devices in Comstock, MCU 20, gateway 30, terminals 70, 90.

4.   Claims 12-14, 23, 27-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Comstock & Da Palma, further in view of Ismael, (U.S. Pat # 6,061,7210).

Considering claims 12, 23, 27, 47 & 49, even though Da Palma discusses the usage of

management bean technology to create objects, the reference does not specifically discuss that

attributes may be associated with the objects. Nevertheless, Ismael, (col. 6, lines 10-46; col. 9,

lines 10-25; col. 10, lines 1-45), which is in the same field of endeavor of bean-based

management system, discloses that the managed object is a software construct that has a set of

properties (i.e., attributes) that can be modified. It would have been obvious for one of ordinary

skill in the art at the time the invention was made, to modify the combination of Comstock & Da

Palma, with the specifics of m-bean object modification, for the desirable advantages modifying

the attributes of m-bean objects, as disclosed by Ismael, col. 2, lines 35-67.

Regarding claim 47, Ismael discloses the use of a table in managing the m-bean, see col.

9, lines 10-45.

Considering claim 13, see Ismael, col. 5, lines 15-55.

Considering claim 14, the claimed subject matter is broad enough to read on one device

interacting with the system using the H.320 protocol and another device interacting with the

system using the H.323 protocol, see Comstock col. 3, lines 1-50. Again, the claimed

management bean is met by the disclosure of Da Palma, col. 6, lines 14-61; col. 9, lines 48-58.

Considering claims 28-30, 33-34 & 46, Da Palma teaches that the MBean can represent

the object, one more object is used to create the device layer, col. 2, lines 1-22; col. 4, lines 31-

65. This arrangement requires communication between the objects and the MBean server, which

reads on the subject matter. In particular, Da Palma teaches that the "system can implement a

method of remotely managing manageable resources". As for the specifics of the attributes that

make up the objects, see Ismael, col. 5, lines 17-30; col. 7, lines 45-58; col. 6, lines 17-48; col. 9,

lines 10-50.

Considering claims 31 & 41, both Da Palma (col. 9, lines 58-61) and Ismael (col. 8, lines 17-42; col. 9, lines 50-55) disclose that the system provides operability with SNMP protocols.

Considering claims 32 & 44, Da Palma, col. 4, lines 31-50.

Considering claims 35, in Da Palma, the devices may receive management instructions in formats other than SNMP.

Considering claims 36 & 45, the claimed system for managing a video network, corresponds with subject matter mentioned above in the rejection of claims 20, 25 & 27, and is likewise treated.

Considering claims 37-39, the claimed tiered structure reads on Fig. 3, Da Palma. Furthermore, Ismael discloses that the system provides controlled access to m-beans, see col. 7, lines 45-58.

Considering claims 40 & 42-43, the management system of Comstock (col. 5, lines 35-65) & Da Palma (col. 9, lines 48-65) meets the claim. Also, see Ismael, col. 8, lines 32-43; col. 12, lines 1-60.

Considering claim 48, Official Notice is taken that at the time the invention was made, the use of HP Openview as a conferencing application was known in the art. It would have been

obvious for one of ordinary skill in the art at the time the invention was made, to modify the

disclosure of Comstock with known technology of Openview, at least in order to utilize a

standard conferencing method.

Considering claim 49, the claimed feature of, 'selecting attributes for inclusion in the

MIB for a specific user', also reads on the disclosure in Ismael that the m-bean objects are a

plurality of selectable and modifiable properties that can be customized, for each scenario, col. 6,

lines 31-50; col. 9, lines 10-55.

Conclusion

5.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

A)   Polycom Brochure   H.323 Setup & Configuration (pgs. 15-16 discloses SNMP set-up).

B)   Johnson   Teaches SNMP in a video conference environment.

C)   Aschemann   Discusses management platforms associated with various network

management systems, such as HP Openview; CORBA-based, Java-based and web-based

management.

D)   A Primer on H.323   Discussion of the H.323 protocol.

E)   Anger   Discloses creating an MIB file.

F)   HP OpenView Network Node Manager Release B.06.20 Runtime Release Notes

Any response to this action should be mailed to:

>   Commissioner for Patents
>   P.O. Box 1450
>   Alexandria, VA 22313-1450
>   www.uspto.gov

>   **or faxed to:**
>   (571) 273-8300, (for formal communications intended for entry)
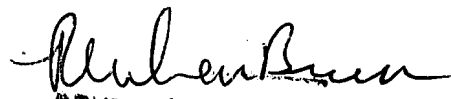>   **Or:**
>
>   (571) 273-7290 (for informal or draft communications, please label
>   "PROPOSED" or "DRAFT")

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reuben M. Brown whose telephone number is (571) 272-7290. The examiner can normally be reached on M-F (9:00-6:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on (571) 272-7331. The fax phone numbers for the organization where this application or proceeding is assigned is (571) 273-8300 for regular communications and After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Reuben M. Brown

REUBEN M. BROWN
PATENT EXAMINER